



1           •       one-hundred fourteen (114) rounds of .45 caliber ammunition;  
2           •       .45 caliber pistol, with markings "SD012916, SD Tactical Pacific Beach, CA,  
3                 1911 A1";  
4           •       .300 Blackout caliber AR-15 type, rifle with additional markings "300  
5                 Blackout"; having a barrel less than 16 inches, that is, approximately 10-5/8  
6                 inches;  
7           •       AR-15 type rifle, .223 caliber;  
8           •       fifty-one (51) rounds of .45 caliber ammunition;  
9           •       one-hundred nineteen (119) rounds of 7.62x 35mm ammunition; and  
10          •       one-hundred forty-nine (149) rounds of .223 caliber ammunition,  
11 which constitutes property involved in the commission of the offenses for which the  
12 defendant pled guilty.

13           The Court has determined, based on the defendant's plea of guilty, that the  
14 government has established the requisite nexus between such property and such offense.

15           Pursuant to Rule 32.2(b)(6) of the Federal Rules of Criminal Procedure the United  
16 States shall publish notice of this order. Notice shall be published for at least 30  
17 consecutive days on an official internet government forfeiture site ([www.forfeiture.gov](http://www.forfeiture.gov)).  
18 The notice shall describe the forfeited property, state the times under the applicable statute  
19 when a petition contesting the forfeiture must be filed, and state the name and contact  
20 information for the government attorney to be served with the petition.

21           The petition shall be for a hearing to adjudicate the validity of his/her alleged interest  
22 in the forfeited property. The petition shall be signed by the petitioner under penalty of  
23 perjury and shall set forth the nature and extent of the petitioner's right, title or interest in  
24 the forfeited property, the time and circumstances of the petitioner's acquisition of the  
25 right, title and interest in the forfeited property, and any additional facts supporting the  
26 petitioner's claim and the relief sought, pursuant to Title 21, United States Code, Section  
27 853(n). The petition must be filed with the Clerk of the Court, United States District Court  
28 for the District of Arizona, 405 West Congress Street, Suite 1500, Tucson, Arizona 85701-

1 5010, and a copy served upon Assistant United States Attorney Beverly K. Anderson, 405  
2 West Congress Street, Suite 4800, Tucson, Arizona 85701-5040.

3 The United States may also, to the extent practicable, provide direct written notice  
4 to any person known to have alleged an interest in the property that is the subject of the  
5 Preliminary Order of Forfeiture as a substitute for published notice as to those persons so  
6 notified.

7 After the disposition of any motion filed under Fed. R. Crim. P. 32.2(c)(1)(A) and  
8 before a hearing on the petition, discovery may be conducted in accordance with the  
9 Federal Rules of Civil Procedure upon a showing that such discovery is necessary or  
10 desirable to resolve factual issues.

11 Following the Court's disposition of all petitions filed, or if no such petitions are  
12 filed, following the expiration of the period specified above for the filing of such petitions,  
13 the United States shall have clear title to the property and may warrant good title to any  
14 subsequent purchaser or transferee.

15 Pursuant to Fed. R. Crim. P. 32.2(b)(4), this Preliminary Order of Forfeiture shall  
16 become final as to the defendant at the time of sentencing and shall be made part of the  
17 sentence and included in the judgment.

18 The Clerk is hereby directed to send copies of this Order to defendant's counsel of  
19 record.

20 Dated this 8<sup>th</sup> day of February, 2019.

21  
22  
23   
24 Hon. Jacqueline M. Rateau  
25 United States Magistrate Judge  
26  
27  
28